



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Johansen, *et al.* Examiner: M. Brown
Serial No.: 09/086,508 Art Unit: 3764
Filing Date: May 28, 2000 Attorney Docket: 2002971-0039
Title: BONE ANCHOR AND DEPLOYMENT DEVICE THEREFOR

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Assistant Commissioner of Patents
Washington, DC 20231

Sir:

PETITION TO WITHDRAW NOTICE OF ABANDONMENT

Applicant has received a Notice of Abandonment in the above-referenced case, dated February 27, 2001. Applicant respectfully submits that this Notice was issued in error, and requests that the Notice be withdrawn.

The reason given for abandonment of the case is that no response was received to the Office Action of May 18, 2000. Applicant filed a Notice of Appeal Under 37 C.F.R. 1.191 on November 17, 2000, along with a petition for a one-month extension of the time for response. A copy of the Notice of Appeal is attached as Exhibit A; a copy of the stamped postcard indicating that the Notice of Appeal was received by the PTO on November 20, 2000, is attached as Exhibit B.

In light of the above facts, Applicant respectfully requests that the Notice of Abandonment in the above-referenced case be withdrawn with no fee.

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Please charge any fees that may be associated with this matter, or credit any overpayments to our Deposit Account No. 03-1721.

Respectfully submitted,



Valarie B. Rosen, Reg. No. 45,698

Choate, Hall & Stewart
Exchange Place
53 State Street
Boston, MA 02109
(617) 248-5000
Dated: March 23, 2001

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner For Patents, Washington, D.C. 20231

on

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